

Remarks

Claims 1-8 and 16-21 are amended herein. Claims 1-8 and 16-21 remain pending in the Application.

Priority

Applicant desires priority under 35 USC 120 based upon a previously filed application. Therefore, the Specification of the instant Application has been amended herein to include specific reference to the earlier filed Application.

Specification Objections

The Abstract is objected to because it contains legal phraseology. Applicant has amended the Abstract, therefore the objection with respect to the Abstract is overcome.

Claim Objections

In the office action Claims 2-8 and 17-21 are objected to for informalities. With respect to Claims 2-8 and 17-21 Applicant has corrected the informalities. Therefore, the objection with respect to Claims 2-8 and 17-21 are overcome.

Claim Rejections 35 USC 112

Claims 4-5 and 19-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, Claims 4-5 and 19-20 are cited as claiming an indefinite standard.

However, Applicant respectfully states that Claims 4 and 19 cite the Industry standard "compact peripheral component interconnect standard", and Claims 5 and 20 cite the industry standard "VersaModular Eurocard standard." Both Claims 4-5 and 19-20 are directed to industry standards that are well known in the art. Furthermore, MPEP 2173.05 states that the meaning of every term should be apparent at the time the application is filed. Therefore, the industry

standards for “compact peripheral component interconnect standard”, and “VersaModular Eurocard standard” are fixed as of the time the application is filed and are well-known in the art. Therefore, the rejection of the industry terms as being indefinite is traversed.

Rejection under 102(e)

Claims 1-3, 6-8, 16-18 and 21

In the Office Action, the Examiner rejected Claims 1-3, 6-8, 16-18 and 21 under 35 USC 102(b) as being anticipated by Hamlet et al. (6285548). Applicant has reviewed Hamlet et al. and respectfully states that Hamlet et al. do not anticipate the present invention for the following rationale.

Applicant respectfully states that Claims 1 and 16 include the feature “recessed portion having said captive screw therein for removably coupling said filler panel body with respect to a chassis.” Support for the Claimed feature can be found throughout the Application including the Figures (e.g., Figures 13A-16B) and the Specification (e.g., page 9 lines 32-36).

Applicant respectfully disagrees that Hamlet et al. anticipates the feature of Claims 1 and 16. Applicant understands Hamlet et al. to teach an ejector 106 as the means for attaching the panel body to the chassis. Applicant respectfully points out that the utilization of an ejector for attaching the panel body to the chassis is a mutually exclusive path from utilizing a captive screw for attaching the panel body to the chassis. Therefore, Applicant understands Hamlet et al. to reach a different solution to a similar problem. Since Applicant understands Hamlet et al. to teach an ejector as the means for attachment, Applicant does not understand Hamlet et al. to anticipate the utilization of a captive screw as the means for attachment.

Therefore, Applicant respectfully submits that Hamlet et al. does not anticipate the present claimed invention as recited in Claims 1 and 16, and as

such, Claims 1 and 16 are in condition for allowance. Accordingly, Applicant also respectfully submits that Hamlet et al. does not anticipate the present claimed invention as recited in Claims 2-8 and 17-21 which are dependent on an allowable Independent Claims 1 and 16 and that Claims 2-8 and 17-21 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 2-8 and 17-21 are allowable as pending from allowable base Claims.

Rejection under 103(a)

Claims 4, 5, 19 and 20

In the Office Action, the Examiner rejected Claims 4, 5, 19 and 20 under 35 USC 103(a) as being unpatentable over Hamlet et al. in view of Summers et al. (6098133). Applicant has reviewed the cited reference and respectfully submits that the present invention is not rendered obvious over Hamlet et al. in view of Summers et al. for the following rationale.

With respect to Claims 4 and 5, Applicant respectfully points out that Claims 4 and 5 depend from the allowable Claim 1 and recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 4 and 5 are allowable as pending from an allowable base Claim.

With respect to Claims 19 and 20, Applicant respectfully points out that Claims 19 and 20 depend from the allowable Claim 16 and recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 19 and 20 are allowable as pending from an allowable base Claim.

Conclusion

In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 1-8 and 16-21.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,  
Wagner, Murabito & Hao LLP

Date: 3/17/05

  
John P. Wagner, Jr.  
Reg. No. 35,398

Two North Market Street  
Third Floor  
San Jose, California 95113  
(408) 938-9060